

ESTTA Tracking number: **ESTTA307768**

Filing date: **09/23/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91187990
Party	Plaintiff Epiq Systems, Inc.
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Date	09/23/2009
Attachments	motionto suspend and consolidate0002.pdf ( 5 pages )(1918595 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Epiq Systems, Inc.	)
	)
Opposer,	)
	)
v.	)
	)
Epiq River LLC	)
	)
Applicant.	)
	)

Opposition No. 91187990

And

Epiq River LLC	)
	)
Opposer/Respondent	)
	)
v.	)
	)
Epiq Systems, Inc.	)
	)
Applicant/Petitioner	)
	)

Opposition No. 91189100

And

Epiq River LLC	)
	)
Opposer	)
	)
v.	)
	)
Epiq Systems, Inc.	)
	)
Applicant	)
	)

Opposition No. 91189798

**STIPULATED MOTION TO CONSOLIDATE AND TO SUSPEND**

The parties jointly move the Board to consolidate Opposition No. 91189798 with the already consolidated Opposition Nos. 91187990 and 91189100. As good cause for this motion, the marks involved in the cases are the same or highly similar and the issues are the same. Further, the parties have already engaged in a discovery conference that has addressed the issues of all the cases and are engaged in settlement negotiations to resolve the issues of all the cases.

Wherefore, the parties respectfully request that the Board consolidate Opposition No. 91189798 with Opposition Nos. 91187990 and 91189100. Further, in accordance with the Board's usual practice, the parties respectfully request and stipulate that the Board re-set all the trial schedules consistently with the least advanced proceeding that is Opposition No. 91189798.

If granted, these consolidate cases will remain suspended until February 28, 2009 at which time these cases will resume according to the following schedule.

Discovery Resumes in all cases, and Answer To Counterclaim

Due in Opposition No.

91189100:

February 28, 2010

Initial Disclosures due:

March 30, 2010

Expert Disclosures due:

July 28, 2010

Discovery closes:

August 27, 2010

Epiq Systems' Pretrial Disclosures as plaintiff  
in Opp. No. 91187990 and as counterclaim plaintiff  
in Opp. No. 91189100 due:

October 11, 2010

Epiq Systems' 30 day testimony period as plaintiff  
in Opp. No. 91187990 and as counterclaim plaintiff  
in Opp. No. 91189100 to close:

November 25, 2010

Epic River's Pretrial Disclosures  
due:

December 10, 2010

Epic River's 30 day testimony period as defendant  
in Opp. No. 91187990 and as counterclaim defendant  
in Opp. No. 91189100 and as plaintiff in Opp. No.  
91189100 and Opp. No. 91189798 to close: January 24, 2011

Epiq Systems' Pretrial Disclosures for  
rebuttal as plaintiff in Opp. No. 91187990  
and as counterclaim plaintiff in Opp. No. 91189100  
and as defendant in Opp.  
No. 91189100 and Opp. No. 91189798 due: February 8, 2011

Epiq Systems 30 day testimony period for rebuttal  
as plaintiff in Opp. No. 91187990  
and as counterclaim plaintiff in Opp. No. 91189100  
and as defendant in Opp.  
No. 91189100 and Opp. No. 91189798 to close: March 25, 2011

Epic River's Rebuttal Pretrial Disclosures due  
as Plaintiff in Opp. No. 91189100 and Opp. No.  
91189798: April 9, 2011

Epic River's 15 day Rebuttal Testimony  
Period as Plaintiff in Opp. No. 91189100 and Opp.  
No. 91189798 to close: May 9, 2011

Epiq Systems' brief as plaintiff in Opp. No. 91187990  
and as counterclaim plaintiff in Opp. No. 91189100  
due: July 9, 2011

Epic River's brief as defendant  
in Opp. No. 91187990 and as counterclaim defendant  
in Opp. No. 91189100 and as plaintiff in Opp. No.  
91189100 and 91189798 due: August 9, 2011

Epiq Systems' brief for rebuttal as plaintiff  
in Opp. No. 91187990 and counterclaim plaintiff  
in Opp. No. 91189100  
and as defendant in Opp. No. 91189100 and  
Opp. No. 91189798 due: September 9, 2011

Reply brief, if any, for Epic River as plaintiff  
in Opp. No. 91189100 and Opposition No. 91189798  
due: September 24, 2011

Respectfully submitted,

Dated: September 23, 2009

By: /Carla C. Calcagno/

Carla C. Calcagno

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Attorneys for Epiq Systems

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the Foregoing Motion to Suspend, was served by agreement of the parties by electronic mail on this 23rd day of September, 2009 to Craig Neugeboren Esq. at the following email address:  
craig@neugeborenlaw.com

By :/ Carla Calcagno/